



POLICE DEPARTMENT CITY OF NEW YORK

March 24, 2016

MEMORANDUM FOR: Police Commissioner

Re: Detective Said Salim  
Tax Registry No. 923101  
Housing Bronx/Queens  
Disciplinary Case No. 2012-6991  
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**Charges and Specifications:**

1. Said Detective Said Salim, while on-duty and assigned to the Firearms Suppression Division, did engage in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: while under oath said Detective provided misleading and inaccurate statements during a Grand Jury presentation and a suppression hearing in Supreme Court, New York County on July 17, 2009, and September 8, 2010 respectively.  
*(Dismissed by Department before trial)*  
P.G. 203-10, Page 1, Paragraph 5 – CONDUCT PREJUDICIAL
2. Said Detective Said Salim, on or about February 28, 2012, did fail to safeguard his firearm, to wit: said Detective left his firearm (Smith and Wesson serial # [REDACTED] in the trunk of a Department vehicle.  
P.G. 204-08, Page 2, Paragraph 7 – FIREARMS GENERAL REGULATIONS

**Appearances:**

For the Department: Jamie H. Moran, Esq.,  
Department Advocate's Office  
One Police Plaza  
New York, New York 10038

For the Respondent: James Moschella, Esq.,  
Karasyk & Moschella LLP  
233 Broadway – Suite 2340  
New York, New York 10279

**Date of Hearing:**  
February 25, 2016

**Decision:**  
Guilty

**Trial Commissioner:**  
ADCT David S. Weisel

## REPORT AND RECOMMENDATION

The above-named member of the Department appeared before the Court on February 25, 2016. Respondent entered a plea of Guilty to the subject charges and testified in mitigation of the penalty. A stenographic transcript of the mitigation record has been prepared and is available for the Police Commissioner's review.

## DECISION

After reviewing the evidence presented at the hearing, and assessing the credibility of the witness, the Court finds Respondent Guilty.

## FINDINGS AND ANALYSIS

Respondent originally [REDACTED]

[REDACTED] This was the subject of Specification No. 1. [REDACTED]

[REDACTED] The remaining specification against Respondent relates to the day that he came to One Police Plaza to accept service of the charges and specifications in the matter relating to Specification No. 1. He left his firearm in his vehicle, leading to Specification No. 2, alleging the failure to safeguard the weapon. This second, now sole, specification was the subject of this mitigation hearing (Tr. 3, 24).

Respondent testified that on February 28, 2012, the date of the firearm incident, he was assigned to the Firearms Investigations Unit. He was informed that he needed to come to One Police Plaza to accept charges and specifications. Respondent testified that he did not know at the time he was going to be suspended from duty as a result [REDACTED] (Tr. 3, 8-10, 18).

Respondent stated that he drove to Police Headquarters in a Department vehicle. He indicated that he passed through two vehicular security entrances and parked the vehicle, inside

the security perimeter, on [REDACTED] Street right across from the entrance to the Headquarters garage. Respondent admitted he was not authorized to park in this area, but testified that he explained to the personnel staffing the gates that he would only be a few minutes and they acquiesced. Respondent also admitted that he knew even unauthorized Department vehicles could get towed from that location (Tr. 10-11, 13-17, 23).

Respondent testified that he had come to One Police Plaza in a business suit. His service firearm was with him, but in a standard gun belt that he was not wearing. He needed his gun belt because he was scheduled for training at [REDACTED] that day. He decided that it would not "look appropriate" if he wore the belt dressed in civilian attire. Nor would it have been right, in his view, to carry the entire belt over his shoulder, or to handle only the firearm itself, holding it by the barrel. Because he was going to Rodman's Neck, he did not have his pancake holster with him, which he would have used if he was performing enforcement duties in plainclothes. He decided to lock the gun belt, with the firearm holstered therein, in the trunk. He believed, at the time at least, that doing so, within the security perimeter of Police Headquarters, constituted safeguarding the weapon. He conceded that there was at least one other set of keys to the vehicle at his command (Tr. 10-11, 13, 17-21).

Once Respondent entered the building, he met with Internal Affairs Bureau officers. They informed him that he was being suspended from duty and asked where his firearms were. He indicated that his two off-duty weapons were at his office, and his on-duty weapon was locked in the trunk of the car he had parked at One Police Plaza. Respondent described the IAB officers' reaction as nonchalant, but they escorted him to the vehicle and retrieved the firearm. The IAB officers were in plainclothes as well (Tr. 11-12, 21-22).

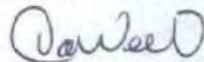
The Department requested a penalty of the forfeiture of 20 vacation days. Rejecting Respondent's argument that he locked the weapon within a locked vehicle itself located within

the secure parking area of One Police Plaza, the Department pointed out that vehicles can get broken into anywhere, as well as towed from One Police Plaza itself. Vehicles parked on the street are not considered secure locations even when locked, so it can be stated that neither are vehicles parked within the security-gated zone of Police Headquarters (Tr. 26-27).

The tribunal agrees with the Department's reasoning. As such, the tribunal recommends that Respondent forfeit 20 vacation days as a penalty in this matter. See Case No. 2011-4539 (June 17, 2013) (20 days for detective who inadvertently left his off-duty firearm on his desk in the squad room of a precinct, after taking it off his ankle to be more comfortable, and then left to perform enforcement duties). The tribunal further recommends that the 30 days Respondent served on suspension [REDACTED] and Departmental charges be returned to him.

In order to determine an appropriate penalty, Respondent's service record was examined. See Matter of Pell v. Board of Educ., 34 N.Y.2d 222, 240 (1974). Respondent was appointed to the Department on August 31, 1998. Information from his personnel record that was considered in making this penalty recommendation is contained in an attached confidential memorandum.

Respectfully submitted,



David S. Weisel  
Assistant Deputy Commissioner Trials

**APPROVED**

MAY 24 2016  
  
WILLIAM J. BRATTON  
POLICE COMMISSIONER





POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner Trials  
To: Police Commissioner  
Subject: CONFIDENTIAL MEMORANDUM  
DETECTIVE SAID SALIM  
TAX REGISTRY NO. 923101  
DISCIPLINARY CASE NO. 2012-6991

On his last three annual performance evaluations, Respondent twice received an overall rating of 4.5 "Extremely Competent/Highly Competent" and once received an overall rating of 5.0 "Extremely Competent." [REDACTED]

[REDACTED] He has received six medals for Meritorious Police Duty, 36 medals for Excellent Police Duty, and one Honorable Mention.

From February 28, 2012, to April 29, 2014, Respondent was placed on modified duty. On April 27, 2012, Respondent was placed on Level 2 Disciplinary Monitoring, which remains ongoing. From April 30, 2014, to May 29, 2014, Respondent was suspended from duty. On May 30, 2014, and continuing to present, Respondent was restored to modified duty.

David S. Weisel  
Assistant Deputy Commissioner Trials